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9 *Attorneys for Trustee and Claims*
10 *Administrator of the Fire Victim Trust*

11 **UNITED STATES BANKRUPTCY COURT**
12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**
14

15 **In re:**
16 **PG&E CORPORATION,**
17 **-and-**
18 **PACIFIC GAS AND ELECTRIC COMPANY,**
19 **Debtors.**

- 20
21 ☐ Affects PG&E Corporation
22 ☐ Affects Pacific Gas and Electric Company
23 ☒ Affects both Debtors
24

25 **All papers shall be filed in the Lead Case, No. 19-30088 (DM).*

Bankruptcy Case No. 3:19-bk-030088 (DM)
Chapter 11
(Lead Case)
(Jointly Administered)

**NOTICE OF SUBMISSION OF
PROPOSED ORDER ON THE JOINT
STATEMENT OF THE TCC,
TRUSTEE, DEBRA GRASSGREEN
AND KARL KNIGHT, AND ERIC AND
JULIE CARLSON REGARDING
UNRESOLVED OBJECTIONS TO THE
FIRE VICTIM CLAIMS RESOLUTION
PROCEDURES**

[Relates to Docket Nos. 8074 and 8080]

1 **PLEASE TAKE NOTICE** that, on June 20, 2020, The Debtors filed the *Ninth Supplement*
2 *to Plan Supplement in Connection with Debtors' and Shareholder Proponents' Joint Chapter 11*
3 *Plan of Reorganization* [Docket No. 8057], which contains as Exhibit A the PG&E Fire Victim
4 Trust Agreement (with all Exhibits thereto, including the Fire Victim Claims Resolution
5 Procedures), which amends and supersedes Exhibit D to the Plan Supplement filed May 1, 2020
6 [Docket No. 7037].

7 **PLEASE TAKE FURTHER NOTICE** that the Bankruptcy Court held a hearing on June
8 24, 2020, at 10:00 a.m. (Pacific Time) before the Honorable Dennis Montali, United States
9 Bankruptcy Judge, on the *Joint Statement of the TCC, Trustee, Debra Grassgreen and Karl Knight,*
10 *and Eric and Julie Carlson Regarding Unresolved Objections to the Fire Victim Claims Resolution*
11 *Procedures* [Docket No. 8074].

12 **PLEASE TAKE FURTHER NOTICE** that attached hereto as **Exhibit 1** is a Proposed
13 Order on The Joint Statement of, and as agreed to by, the TCC, the Trustee of the Fire Victim Trust
14 (the “**Trustee**”), Debra Grassgreen and Karl Knight, and Eric and Julie Carlson Regarding
15 Unresolved Objections to the Fire Victim Claims Resolution Procedures (the “**Proposed Order**”),
16 and the Trustee hereby submits the Proposed Order to the Bankruptcy Court for approval
17 concurrently herewith.

18 **PLEASE TAKE FURTHER NOTICE** that the Proposed Order has been circulated among
19 Debra Grassgreen and Karl Knight, and Eric and Julie Carlson, Mary Wallace, counsel for the TCC
20 and counsel to the Debtors. All parties other than Mary Wallace have agreed to the form of the
21 Proposed Order.

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PLEASE TAKE FURTHER NOTICE that, despite diligent efforts and regular communication between Thursday, June 25, 2020 and Sunday, June 28, 2020, the Trustee has been unable to obtain the consent of Mary Wallace to the form of the Proposed Order. Ms. Wallace has filed a separate objection to the Proposed Order.

DATED: June 29, 2020

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EXHIBIT 1
Proposed Order

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10 *and Claims Administrator*

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- 20 ☐ Affects PG&E Corporation
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23 **All papers shall be filed in the Lead Case, No.*
24 *19-30088 (DM).*

Bankruptcy Case No. (DM)
Chapter 11
(Lead Case)
(Jointly Administered)

**PROPOSED ORDER ON THE JOINT
STATEMENT OF THE TCC,
TRUSTEE, DEBRA GRASSGREEN
AND KARL KNIGHT, AND ERIC AND
JULIE CARLSON REGARDING
UNRESOLVED OBJECTIONS TO THE
FIRE VICTIM CLAIMS RESOLUTION
PROCEDURES**

[Relates to Docket Nos. 8074 and 8080]

25
26 The Debtors having filed the *Ninth Supplement to Plan Supplement in Connection with*
27 *Debtors' and Shareholder Proponents' Joint Chapter 11 Plan of Reorganization* [Docket No.
28 8057], which contains as Exhibit A the PG&E Fire Victim Trust Agreement (with all Exhibits

1 thereto, including the Fire Victim Claims Resolution Procedures (the “**CRP**”)), which amends and
2 supersedes Exhibit D to the Plan Supplement filed May 1, 2020 [Docket No. 7037]; and upon the
3 *Joint Statement of the TCC, Trustee, Debra Grassgreen and Karl Knight, and Eric and Julie*
4 *Carlson Regarding Unresolved Objections to the Fire Victim Claims Resolution Procedures*
5 [Docket No. 8074] (the “**Joint Statement**”); and the Court having considered the statements of the
6 parties at the hearing held on the Joint Statement on June 24, 2020; and for the reasons stated on
7 the record at the hearing,

8 IT IS HEREBY ORDERED THAT:

9 1. The CRP is hereby amended in the limited manner set forth hereinto address the issues
10 raised in the Joint Statement. With the exception of paragraphs 6 and 7 below, which apply to all
11 Claims to be paid by the Trust, nothing in this Order shall apply to anyone other than the Individual
12 Eligible Claimants (as defined below).

13 2. Upon fully exhausting the dispute resolution process set forth in Section VIII of the
14 CRP, any of Debra Grassgreen and Karl Knight (and their minor child), Eric and Julie Carlson and
15 Mary Kim Wallace (each of the foregoing Claimants, an “**Individual Eligible Claimant**”) may
16 reject the Trustee Determination¹ awarded.

17 3. Within thirty (30) days from the date on which an Individual Eligible Claimant
18 receives his or her Trustee Determination (the “**Individual Election Deadline**”) with respect to a
19 Claim, such Individual Eligible Claimant must notify the Trust of his or her intent to seek a Judicial
20 Determination by submitting a written notice to the Trustee (an “**Individual Election Notice**”) and
21 filing a copy of such Individual Election Notice with the Bankruptcy Court. Upon submitting an
22 Individual Election Notice to the Trustee and filing a copy with the Bankruptcy Court, an
23 Individual Eligible Claimant may elect review of his or her Claim in the Bankruptcy Court, the
24 District Court for the Northern District of California, or in the court where such claim was pending
25 or could have been pending prior to the Petition Date (the “**Court of Review**”). For the avoidance

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28 ¹ Capitalized terms used but not otherwise defined in this Order shall have the meanings given to them in the CRP.

1 of doubt, the Individual Eligible Claimants shall not be required to wait until the end of the Initial
2 Review Period to seek a Final Judicial Determination.

3 4. Section IX.B.5 of the CRP regarding the consolidation of judicial determinations shall
4 not apply to the Individual Eligible Claimants.

5 5. Individual Eligible Claimants who fail to submit and file an Individual Election Notice
6 by the Individual Election Deadline shall be deemed to accept the Trustee Determination of such
7 Claim, and such Trustee Determination shall become a Final Determination that is final, binding,
8 non-appealable and not subject to review by any Court.

9 6. Interest awarded on any Final Judicial Determination with respect to any Eligible
10 Claimant, including any Individual Eligible Claimant, shall be payable by the Trust to the same
11 extent that interest awarded on account of any Claim within the CRP is paid. If the Trust does not
12 pay interest on account of Claims within the CRP, then interest on account of any Judicial
13 Determination shall not be payable by the Trust.

14 7. Any award of punitive or exemplary damages with respect to any Claim seeking
15 payment by the Trust, whether such award is made by the Trustee or by any court, shall be
16 subordinate and junior in right to the prior payment in full of all non-punitive and non-exemplary
17 damage awards reflected in Final Determinations and Final Judicial Determinations as provided in
18 the CRP.

19 8. Except as expressly set forth above, the CRP shall apply to the Individual Eligible
20 Claimants in all respects.

21 9. In the event of any conflict between this Order and the CRP, this Order shall control.

22 10. The Court retains exclusive jurisdiction with respect to all matters arising from or
23 related to the implementation of this Order.

24 ** END OF ORDER **
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